

Appl. No. 10/825,824  
Attorney Docket No.: 2003B049/2  
Response dated: December 19, 2008  
Reply to Office Action dated December 2, 2008

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## **REMARKS**

Claims 1-53 are pending in the application and stand rejected.

Claims 1, 7, 18, 28, 39, 50 and 51 are amended by replacing “comprising” with the language –consisting essentially of–. The amendment finds support throughout the specification as filed at such as at, for example, paragraph [0066]. No new matter is added.

The same claims, as well as claims 52 and 53 are also amended by adding the phrase “wherein the thickness of the composite is from 200 µm to 6 mm” derived from original claim 15. No new matter is added.

Claim 15 is cancelled without prejudice.

## **Rejections under Section 102 and 103**

Claims 1-53 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,413,644 to *Ashcraft*, and alternatively under 103(a) as obvious over *Ashcraft*. The claims were also rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,682,825 to *Kennedy*, and alternatively under 103(a) as obvious over *Kennedy*. The Applicants traverse these rejections, as each of *Ashcroft* and *Kennedy* disclose layered compositions that must include three or more layers of materials distinct from those claimed. The “consisting essentially of” language in the amended claims precludes other additional layers.

The present claimed embodiments are also not obvious over *Kennedy* or *Ashcraft*. Both of these disclosures are directed to films, which are quite distinct from the structural laminates/composites being claimed. *Ashcraft* discloses “films” as shown in the working examples of 1.25 mils, which is about 32 micrometers. These films are directed to sealing films for glass. *Kennedy* discloses “films” directed to food contact applications such as wrapping, wherein the broadest thickness range disclosed at column 3, lines 40-45 is about 4 to about 76

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micrometers. The Examiner has not given a rational why one skilled in the art would look to such a film to solve the problem of making composites as are claimed. Even the commonly known meaning of "film" teaches away from what is currently claimed. THE POLYMER TECHNOLOGY DICTIONARY (1994 Chapman & Hall) defines "film" as "usually taken to apply to thicknesses of 0.010/0.25 mm or below." The 0.25 mm, or 250 micrometers is well below the claimed range. Thus, given the claimed range that is beyond the disclosure of these two references, a *prima facie* case of obviousness is not made.

Applicants request that these rejections be withdrawn.

Having addressed all issues set out in the office action, Applicants respectfully submit that the pending claims are now in condition for allowance. If necessary to affect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to affect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1712 (Docket #:2003B049/2).

Respectfully submitted,

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